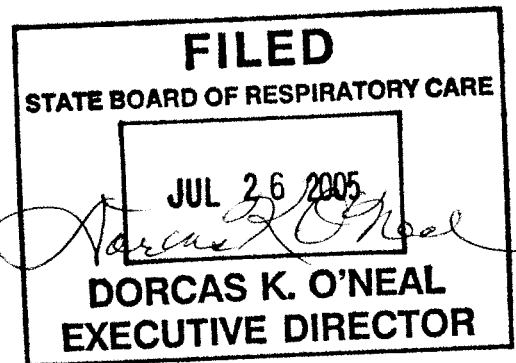


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Attorney for the State Board of Respiratory Care



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STATE OF NEW JERSEY  
DEPARTMENT OF LAW & PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
STATE BOARD OF RESPIRATORY CARE

IN THE MATTER OF:	:	Administrative Action
	:	
HELEN MCKINSTRY, RRT	:	
License No: 43ZA003014	:	CONSENT ORDER
	:	
TO PRACTICE RESPIRATORY CARE	:	
IN THE STATE OF NEW JERSEY	:	

This matter was opened to the New Jersey State Board of Respiratory Care (Board) upon the review of information submitted which alleges that Helen McKinstry had engaged in the practice of respiratory care while working for Genesis Health Care, at Morris Hills Center, New Jersey, from July 2004 through January 31, 2005, after the expiration of her license on March 31, 2004, in violation of N.J.S.A. 45:14E-9 and N.J.A.C. 13:44F-9.1, thus providing grounds for disciplinary action pursuant to N.J.S.A. 45:1-21(h). Ms.

McKinstry should have been aware that her license expired on March 31, 2004 and that she could not practice as a respiratory therapist until her license was properly renewed. Ms. McKinstry admitted to working as a respiratory therapist without a license from July 2004 through January 31, 2005 at an investigative inquiry held by the Board on February 1, 2005.

The Board having considered the aforesaid information, and the parties being desirous of resolving this matter without the necessity for further formal proceedings, Ms. McKinstry having waived any right to a hearing in this matter, and the Board finding that the within Order is adequately protective of the public health and that good cause exists for its entry:

IT IS ON THIS

21<sup>st</sup> DAY OF

July

, 2005,

ORDERED:

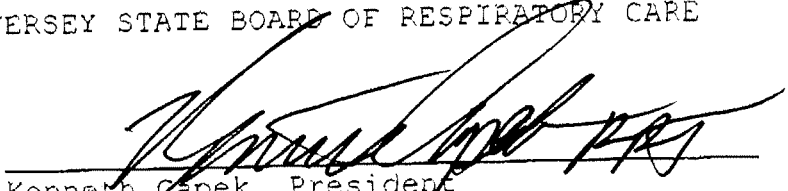
1. Helen McKinstry is hereby **REPRIMANDED** for engaging in the unlicensed practice of respiratory care; and
2. Helen McKinstry shall **CEASE AND DESIST** from engaging in the unlicensed practice of respiratory care and shall not engage in the practice of respiratory care in New Jersey until she receives an active and valid license to practice respiratory care from the Board; and
3. Helen McKinstry is hereby assessed a penalty in the amount of \$500.00. The penalty in the aggregate amount of \$500.00 shall be paid in five equal monthly installments (\$100 per installment) beginning thirty (30) days from filing date of this

Consent Order. Payment of the penalties shall be submitted by certified check or money order made payable to the State of New Jersey and shall be sent to Dorcas O'Neal, Executive Director, New Jersey State Board of Respiratory Care, P. O. Box 45031, 124 Halsey Street, Sixth Floor, Newark, New Jersey 07101.

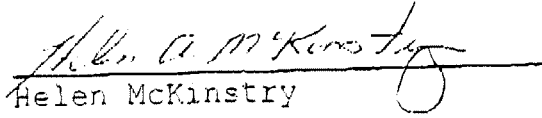
3. Failure to remit any payment as required by this Consent Order will result in the filing of a Certificate of Debt.

NEW JERSEY STATE BOARD OF RESPIRATORY CARE

By:

  
Kenneth Capek, President

I have read the above order  
and I understand and agree to  
abide by its terms.

  
Helen McKinstry